

Serial No. **10/628,402**

Docket No. **K-0527**

Amdt. dated November 14, 2005

Reply to Office Action of July 11, 2005

**Amendments to the Drawings:**

The attached drawings include changes to Figs. 2 and 3. These sheets, which include Figs. 1-3, replace the original sheets including Figs. 1-3. Figs. 2 and 3 have each been amended to correct a typographical error. No new matter is added.

Attachment: Replacement Sheets (2)  
Annotated Sheets Showing Changes (2)

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### **REMARKS/ARGUMENTS**

Claims 1-20 and 23-34 are pending in this application. By this Amendment, the drawings, Abstract, specification, and claims 1-2, 4, 6-7, 9, 11, 13-15, and 17-18 are amended, claims 23-34 are added, and claims 20-21 are cancelled without prejudice or disclaimer. The drawings, Abstract, and specification are amended for clarification purposes only. No new matter is added. Support for the claims can be found throughout the specification, including the original claims and the drawings. Withdrawal of the rejections in view of the above amendments and the following remarks is respectfully requested.

#### **I. Allowable Subject Matter**

The Examiner is thanked for the indication that claims 5-12 and 16-20 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. However, for the reasons set forth below, claims 5-12 and 16-20 have not been rewritten in independent form at this time.

#### **II. Objections to Specification**

The Office Action objects to the specification, indicating that the second and third steps discussed in paragraph 14 of the specification do not match with Figure 3, and that the additional steps discussed in paragraph 15 of the specification do not read on Figure 3. Applicant respectfully disagrees.

More specifically, paragraph 14 discusses a first step of transmitting a Preserve PDP Context Request message, corresponding to step S301 in Figure 3, a second step of releasing a radio bearer, corresponding to step S303 in Figure 3, and a third step of transmitting a Preserve PDP Context Accept message, corresponding to step S305 in Figure 3. Paragraph 14 then discusses a step of the SGSN receiving the Preserve PDP Context Request message (transmitted in the first step, step S301) and requesting release of the radio bearer after the first step, corresponding to step S302 in Figure 3. Paragraph 14 (as amended) also discusses a step of transmitting a Response message for the radio for the radio bearer release (transmitted in the second step, step S303) after the second step, corresponding to step S304 in Figure 3.

It is respectfully submitted that the first, second and third steps discussed in paragraph 14 of the specification are clearly represented by steps S301, S303, and S305, respectively, of Figure 3, and that the further (intervening) steps discussed in paragraph 15 of the specification are clearly represented by steps S302 and S304, respectively, of Figure 3, and that paragraph 15 clearly establishes that these further steps are performed after the first and second steps, respectively. Accordingly, the objection should be withdrawn.

### **III. Objections to Drawings**

The Office Action objects to Figures 2 and 3 due to an informality. Figures 2 and 3 have been amended to correct the typographical error referred to in the Office Action, and thus this objection should be withdrawn.

The Office Action objects to the drawings under 37 CFR 1.83(a), indicating that the features of claims 1 and 14 are not shown in the drawings. It is respectfully submitted that the drawings, and specifically Figure 3 of the present application, do in fact illustrate receiving a packet service interruption request from a mobile station, as recited in claim 1, and a receiver which receives a packet service interruption request from a mobile station, as recited in claim 14.

More specifically, Figure 3 shows a mobile station 31 transmitting a Preserve PDP Context Request to an SGSN 33 in step S301. Paragraph 14 of the specification states that the Preserve PDP Context Request message sent from the mobile station 31 to the SGSN 33 corresponds to a service interruption session. Further, the accompanying explanation of step S301 provided at paragraph 42 of the specification, states that when a subscriber desires a temporary interruption in service, the Preserve PDP Context Request message, which includes an SM cause value of User Inactivity for temporary service interruption, is sent from the mobile station 31 to the SGSN 33. It is respectfully submitted that the Preserve PDP Context Request message shown in Figure 3 includes a packet service interruption request, and thus the features of claims 1 and 14 are shown in Figure 3. Accordingly, this objection should be withdrawn.

#### **IV. Objections to Claims**

The Office Action objects to claims 1 and 2 due to informalities. It is respectfully submitted that the amendments to claims 1 and 2 are responsive to the Examiner's comments, and thus the objection should be withdrawn.

**V. Rejection Under 35 U.S.C. §112, Second Paragraph**

The Office Action rejects claims 4-6 under 35 U.S.C. §112, second paragraph as allegedly indefinite. The rejection is respectfully traversed.

Claims 4 and 6 have been amended in response to the Examiner's comments. With respect to claim 5, it is respectfully submitted that claim 5 meets the requirements of 35 U.S.C. §112, second paragraph. More specifically, claim 5 recites that the Preserve PDP Context Request message includes, *inter alia*, a Preserve PDP Context Request message ID. As this is the first presentation of this feature, it is respectfully submitted that the use of the article "a" is properly used in introducing this feature, and that there are no antecedent basis issues in claim 5. The Preserve PDP Context Request message ID is then recited in claim 6, which depends from claim 5. Thus, as this feature was first introduced in claim 5, the use of the article "the" is properly used in reciting this feature in claim 6. Accordingly, it is respectfully submitted that claims 4-6 meet the requirements of 35 U.S.C. §112, second paragraph, and thus the rejection should be withdrawn.

**VI. Rejection(s) Under 35 U.S.C. §102(e)**

The Office Action rejects claims 2-3 and 15 under 35 U.S.C. §102(e) over Bergenlid et al., U.S. Patent Publication No. 2003/0156578 (hereinafter "Bergenlid"). The rejection is respectfully traversed.

The present application was filed on July 29, 2003, claiming priority to Korean Patent Application No. 2002-55404 filed in Korea on September 12, 2005. A certified translation of the Korean priority document will be filed herewith in order to effectuate the claim for priority. It is respectfully submitted that the September 12, 2002 priority date of the present application clearly precedes the January 21, 2003 filing date of the Bergenlid reference, and thus Bergenlid is not a proper reference under 35 U.S.C. §102(e), and cannot be properly applied as prior art in a rejection of the present application. It is further noted that Bergenlid claims priority to provisional application 60/354,483 (hereinafter "the Bergenlid provisional application"). The February 8, 2002 filing date of the Bergenlid provisional application precedes the September 12, 2005 priority date of the present application, and thus, for purposes of this reply, the Bergenlid provisional application is discussed with respect to the applicable rejections.

Independent claim 2 recites transmitting a Preserve PDP Context Request message corresponding to a service interruption message, releasing the radio bearer assigned to the mobile station, and transmitting a Preserve PDP Context Accept message to the mobile station. Independent claim 15 recites a receiver which receives a Preserve PDP Context Request message corresponding to a service interruption session, and a controller which transmits a Preserve PDP Context Accept message to the mobile station. The Bergenlid provisional application neither discloses nor suggests such features.

The Bergenlid provisional application discloses a system for packet based service in a multimedia system. More specifically, in Section 4, the Bergenlid provisional application discloses a system in which a UE1 re-establishes an RAB and sends an INVITE message to a UE2. As the UE2 does not have an active PDP context, the UE2 must re-establish the RAB in order to receive the INVITE message and respond with a progress indication. The UE1 then sends information to the UE2, requesting resources as required to maintain the flow of information. An interactive RAB may also be invoked to maintain multiple channels of data flow available. However, the Bergenlid provisional application is simply directed at initial setup of a radio bearer, and thus neither discloses nor suggests that any type of Preserve PDP Context Request message is sent which corresponds to a service interruption session, as recited in independent claim 2, nor a receiver which receives such a message and a controller which acts on such a message, as recited in independent claim 15.

Accordingly, it is respectfully submitted that independent claims 2 and 15 are not anticipated by the Bergenlid provisional application, and thus the rejection of independent claims 2 and 15 under 35 U.S.C. §102(e) over the Bergenlid provisional application should be withdrawn. Rejected dependent claim 3, as well as objected to claims 5-12 and 16-20, are allowable at least for the reasons set forth above with respect to independent claims 2 and 15, from which they respectively depend, as well as for their added features.

The Office Action rejects claims 21 and 22 under 35 U.S.C. §102(e) over Williams et al., U.S. Patent Publication No. 2002/1033600 (hereinafter “Williams”). Claims 20-21 are cancelled, and thus the rejection is moot.

**VII. Rejection(s) Under 35 U.S.C. §103(a)**

The Office Action rejects claims 1 and 14 under 35 U.S.C. §103(a) over Bergenlid in view of Nounin et al., U.S. Patent Publication No. 2004/0224719 (hereinafter “Nounin”). The rejection is respectfully traversed.

Independent claim 1 recites releasing the radio bearer assigned between the mobile station and a UTRAN while maintaining a PDP Context message in the mobile station. Independent claim 14 recites a controller which releases a radio bearer assigned to the mobile station while a PDP context message is maintained in the mobile station. As set forth above, the Bergenlid provisional application neither discloses nor suggests such features. That is, the Bergenlid provisional application is simply directed at initial setup of a radio bearer, and thus neither discloses nor suggests that any type of PDP context message is maintained once a radio bearer is released. Further, Nounin is merely cited as allegedly teaching receiving a packet service interruption request, and thus fails to overcome the deficiencies of the Bergenlid provisional application.

Accordingly, it is respectfully submitted that independent claims 1 and 14 are allowable over the applied combination, and thus the rejection of independent claims 1 and 14 under 35



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U.S.C. §103(a) over the Bergenlid provisional application in view of Nounin should be withdrawn. Newly added claims 23-34 are allowable at least for the reasons set forth above with respect to independent claims 1 and 14, from which they respectively depend, as well as for their added features.

The Office Action rejects claim 4 under 35 U.S.C. §103(a) over Bergenlid in view of Kuo et al., U.S. Patent Publication No. 2004/0203778 (hereinafter “Kuo”). The rejection is respectfully traversed.

Dependent claim 4 is allowable over the Bergenlid provisional application at least for the reasons set forth above with respect to independent claim 2, from which it depends, as well as for its added features. Further, Kuo is merely cited as allegedly teaching transmitting a response message for radio bearer release, and thus fails to overcome the deficiencies of the Bergenlid provisional application. Accordingly, it is respectfully submitted that dependent claim 4 is allowable over the applied combination, and thus the rejection of claim 4 under 35 U.S.C. §103(a) over the Bergenlid provisional application and Kuo should be withdrawn.

The Office Action rejects claim 13 under 35 U.S.C. §103(a) over Bergenlid in view of Cuny et al., U.S. Patent Publication No. 2004/0064555 (hereinafter “Cuny”). The rejection is respectfully traversed.

Dependent claim 13 is allowable over the Bergenlid provisional application at least for the reasons set forth above with respect to independent claim 2, from which it depends, as well

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as for its added features. Further, Cuny fails to overcome the deficiencies of the Bergenlid provisional application.

More specifically, as set forth above, the present application was filed on July 29, 2003, claiming priority to Korean Patent Application No. 2002-55404 filed in Korea on September 12, 2005. It is respectfully submitted that the September 12, 2002 priority date of the present application clearly precedes the September 27, 2002 filing date of the Cuny reference, and thus Cuny is not a proper reference under 35 U.S.C. §102(e), and cannot be properly applied as prior art in a rejection of the present application.

Accordingly, it is respectfully submitted that claim 13 is allowable over the applied combination, and thus the rejection of claim 13 under 35 U.S.C. §103(a) over the Bergenlid provisional application in view of Cuny should be withdrawn.

#### **VIII. Conclusion**

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned, **JOANNA K. MASON**, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this,

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concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
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FIG. 1  
Related Art

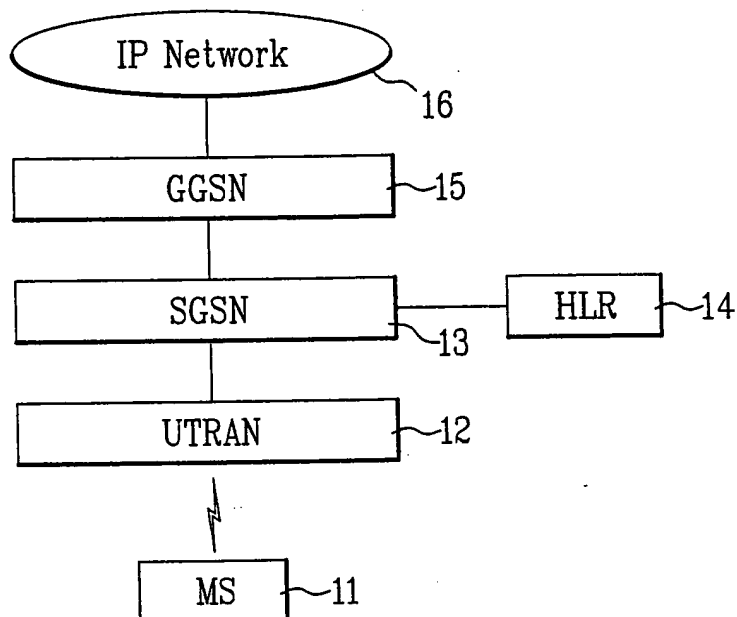


FIG. 2  
Related Art

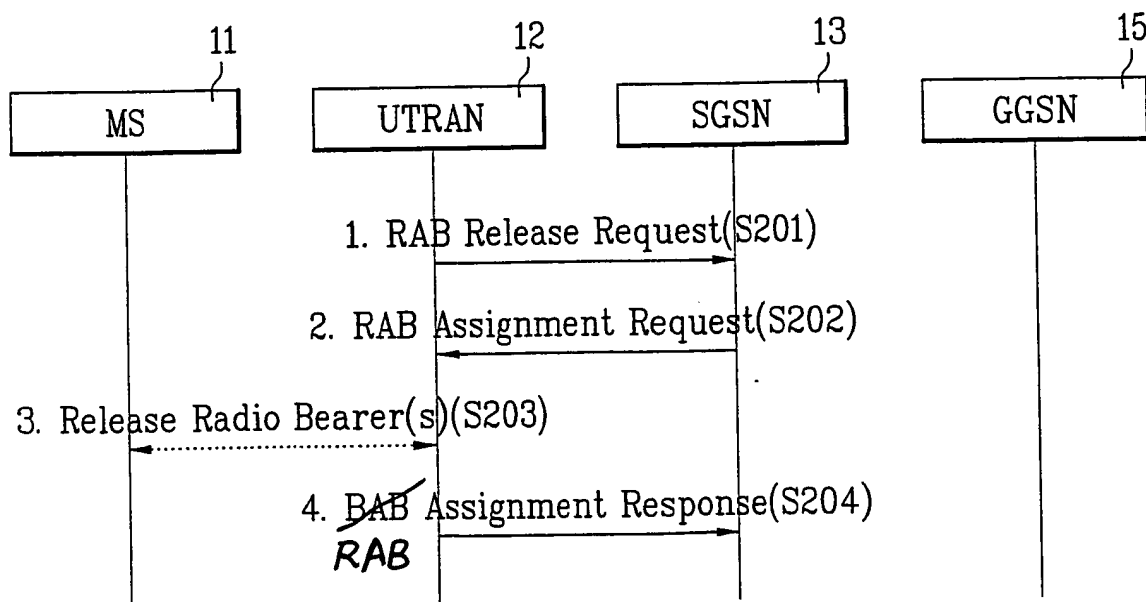


FIG. 3

